

**TOWN OF HADDAM  
ZONING BOARD OF APPEALS  
PUBLIC HEARING/MEETING  
TOWN HALL  
21 FIELD PARK DRIVE, HADDAM, CT  
THURSDAY, 31 MAY 2018  
UNAPPROVED MINUTES  
*Subject to Approval by the Board***

**ATTENDANCE**

X	Thomas Berchulski
X	Margo Chase-Wells
A	Mary Hickish
A	Robin Munster, Chairman
X	Kenneth Wendt
X	William Iselin, Alternate (7:45 p.m.)
X	Jessica Labbe, Alternate – Seated
X	Anthony Matterazzo, Alternate – Seated
X	Liz West Glidden, Town Planner
X	Bunny Hall Batzner, Recording Clerk

**1. Call to Order**

Mr. Berchulski, acting chairman, called the meeting to order at 7:35 p.m.

**2. Attendance/Seating of the Alternates**

Attendance was taken and all regular members as well as Ms. Labbe and Mr. Matterazzo, alternate members, were seated.

**3. PUBLIC HEARING**

**A Variance in the Amount of 13 Feet to a Side Setback and Ten Feet to the Front Setback for an Attached, Two Story Garage to Measure 24 by 25 Feet in Size for Property Known as 180 Camp Bethel Road and Shown on Tax Map 49 Lot 18**

Francis Albis, Jr., Architect, Albis Architects, LLC, applicant, representing Emily and Jeffrey Merriam, owners, was present.

Mrs. Glidden gave a brief history of the property noting the Merriams have been before the Board previously for a variance to demolish a shed to construct a detached garage (granted) and that the Merriams have abandoned that plan and are now coming before the Board with an attached garage that will be in line with the existing house (seven feet from the property line).

Mrs. Glidden reported the Legal Notice was posted on May 17 and 24, 2018 and the Affidavit is on file.

Mr. Albis submitted two (2) Certificates of Mailing (Exhibit A) for notices sent to abutting property owners. It was noted later in the hearing that there were no names or addresses on the Certificates.

Using the plans, Mr. Albis pointed out the existing house and the proposed addition stating the connection to the existing house will be at the second floor of the house to the upper level of the garage. The reason for abandoning the detached garage is due to the family increasing in size. Although the existing house

is large, there are only three bedrooms including the master and they need another bedroom. Mr. Albis stated the proposal is basically the same garage footprint, square footage, and height as the original application; however, it sits just slightly closer to the existing house, a little further away from the setback, and is attached at the second floor. Mr. Albis stated the first floor is a covered walkway leading from the garage to a side entrance to the house.

Mr. Berchulski asked for the setback variance granted on the original request. Mrs. Glidden stated in 2014 a variance of 10 feet was granted to the side yard (this was the original dwelling addition). Mrs. Glidden stated there was another variance for the two car garage (variance information not available). Mr. Albis stated again, it was basically the same exact footprint as the proposed garage. Mrs. Glidden stated she thought it was closer to the property line. Mr. Albis agreed, but the actual size of the garage is the same. Mr. Berchulski stated only the garage moved. Mr. Albis stated yes. Mrs. Glidden stated the present application is more conforming to the town's setback regulations than the previously approved variance.

Mrs. Glidden corrected a comment she had made earlier in regard to the existing house being in line with the proposal and stated the existing dwelling is 10 feet from the property line and the addition would be two feet closer to the side property line than the rest of the house currently is. Mrs. Glidden again stated this proposal is more conforming than the last variance granted. Mr. Albis stated the distinction being now is that it's an attached garage.

Mr. Matterazzo asked if the lot to the back (east side) is buildable. Mr. Albis stated that it's one owner. Mr. Matterazzo also asked if the adjacent property owner was notified and if he had any objections. Mr. Albis stated the property owner was notified and apparently there is no objection. Mr. Wendt asked if there were any objections from neighbors and bordering property owners. Mr. Albis stated there are only two abutters. Mr. Matterazzo stated there is only one real bordering neighbor and the one down below would be the only one seeing the house. Mr. Matterazzo asked if they objected to being able to see the roof of the house. Mr. Albis stated no.

Mrs. Glidden asked Mr. Albis if he had the names and addresses for the abutting property owners as the Certificates of Mailing do not contain that information. After review of the receipt (no names/addresses found), Mr. Albis stated he had shown the Postal Service the information sheet and the Certificates of Mailing that were submitted are what the Postal Service gave him, therefore, he thought they were correct. Mrs. Glidden stated this will not prevent the hearing from moving forward; and she will speak to the Postal Service to see if they have revised their rules.

Mrs. Glidden reported the variance application, being within the Gateway District, had to go before the Gateway Commission and they have submitted a letter of no objection, dated 05.14.2018, (Exhibit B). Mrs. Glidden read the letter in which they ask for the following condition: "An application for variances that was submitted in August of 2014 indicated that the Merriams had no intentions of removing trees that provided a visual buffer to the additions that were built at that time. Assuming those trees are still present, the Gateway Commission would like to request that the same condition be applied. If the Merriams are desirous of a view, they are encouraged to 'limb up' the lower third of the branches on the tree rather than remove the trees altogether." Mrs. Glidden stated there really aren't any trees from their front porch to the river, that the trees are more on the Camp Bethel side. Mr. Albis agreed.

Mr. Wendt asked if there were any objections from the two abutting neighbors. Mrs. Glidden stated she had not received any phone calls or correspondence regarding the matter. There was no one in the audience to speak either for or against the application.

There was a brief discussion as to whether or not to seat Mr. Iselin as he had arrived late. As five members were already seated, it was determined to leave the seating of the Board as it currently stood.

Mr. Matterazzo asked if the Health Dept. was advised of the addition of a third bathroom and approval granted. Mr. Berchulski and Mrs. Glidden stated the septic system is driven by bedrooms. Mrs. Glidden also stated if a variance is granted, the Merriams will be going before P&Z for a different matter, and then

they will submit building and health documents; therefore, any approval is conditioned by default on health approval.

Mr. Wendt asked if there will be a full basement over the addition. Mr. Albis stated the garage will be slab on grade – the garage level and one level above that aligns with the house. Mr. Matterazzo asked if the walkway will be heated. Mr. Albis stated yes.

**MOTION:** Anthony Matterazzo moved to close the public hearing at 7:50 p.m. Ken Wendt second. Motion carried unanimously.

#### **4. PUBLIC MEETING**

##### **A Variance in the Amount of 13 Feet to a Side Setback and Ten Feet to the Front Setback for an Attached, Two Story Garage to Measure 24 by 25 Feet in Size for Property Known as 180 Camp Bethel Road and Shown on Tax Map 49 Lot 18**

Mr. Wendt stated this is an improvement to the property, there were no objections from the neighbors that the Board is aware of, it's not impeding on the view of the Connecticut River, and a variance was approved four years ago for a similar addition albeit different. Mr. Matterazzo stated he finds the application to be appropriate, the information correct, and offers no objection. Ms. Labbe, Mrs. Chase-Wells, and Mr. Berchulski offered no objection to the application.

**MOTION:** Margo Chase-Wells moved to approve a variance to allow a building addition measuring 25 x 24 feet in size, 8 feet from the side property line where 20 is required per Section 4, Table 1, of the Town of Haddam Zoning Regulations. **Conditions:** 1. Standard Permit Conditions. 2. Special Conditions/Modifications – No. **Exhibits:** 1. Application date stamped May 7, 2018. 2. Site Plan titled Proposed Addition by Albis Architects and date stamped received in Land Use Office May 7, 2018. 3. CT River Gateway Commission letter of no objection, from Mr. Torrance Downes dated May 14, 2018. Anthony Matterazzo second. Motion carried unanimously.

#### **5. Approval/Correction of the Minutes**

**MOTION:** Margo Chase-Wells moved to approve the 31 August 2017 minutes as submitted. Tom Berchuski second. Motion carried with Ms. Labbe abstaining.

#### **6. Town Planner/ZEO Report**

**Tylerville Water Project –** Mrs. Glidden reported that the town voted to encumber the \$7.3 million from the state. The town is in an “exclusive water area” which means the Connecticut Water Company will be the town’s contractor and they will do all of the plans and design work for the installation of the line from Chester to Tylerville. The hope is that everyone will connect but the options are: 1) to connect now and the state will pay for the connection fee as long as the property owner abandons their well. 2) Property owners do not have to connect; but if decide to do so later, the owner will have to incur the cost (approximately \$10,000). Mr. Iselin asked if there was a cutoff date to make a decision. Mrs. Glidden stated yes, but did not know the dates noting there will be a letter from the water company outlining the options. Mr. Iselin stated he’s heard 12-19 months to have the line installed.

Discussion returned to this topic after Mrs. Glidden reported on the sidewalks grant with Mr. Matterazzo asking if the contract with the Connecticut Water Company is a permanent contract or only for a specific number of years. Mr. Matterazzo stated he knows the water company would be regulated by the state in terms of fees (increase requests, etc.). Mrs. Glidden stated they are regulated through the Department of Public Utility Control (DPUC); and although a contract has not yet been entered into, it would be for 60 years (the life of the pipes). Mr. Berchulski asked how many hookups will there be and to what extent. Mrs. Glidden stated she believes 64 hookups with the water line starting at the new gas station in Tyler-ville continuing up Saybrook Road to the Condil property (just north of the Saybrook at Haddam), all the way down Bridge Road, down Camp Bethel Road to the 120 block, and down little Meadow Road.

Mr. Wendt asked if the majority of the 64 connections have tainted water or if all of them do. Mrs. Glidden stated the majority of them have some sort of issue with their water; and in the latest monitoring rounds, there have been other issues which have arisen (went from a contamination issue to now having other elements to it). Mr. Matterazzo stated he read there are 14 to 18 houses that have water filtration systems that the state is paying for. Mrs. Glidden stated yes; with an additional five or six properties that receive bottled water. Mr. Berchulski asked if there are any properties that have no problems at all that are also part of the 64 hookups. Mrs. Glidden stated yes, because the area includes the study area and the problem in Tylerville is that the bedrock is very undulated and they do not understand the source of the pollution (suspect where it comes from, but unable to prove it) and a lot of it is related to hydrology (usage changes the way the contamination plume moves; and will make it difficult to monitor). Mr. Berchulski asked if wells test o.k., do they still have to cap the well off. Mrs. Glidden stated yes, and there are people who are opposed to capping their wells. Mr. Berchulski stated it kind of fits the definition of extortion. Discussion followed in regard to being able to apply for an irrigation well; whether or not there are properties that do that type of farming that would merit an irrigation well; and contaminated water being pumped out of the ground and where it's going (running toward the river – properties along river and the river itself); and the state doesn't want to monitor this situation any more (costs being an issue).

**Transportation Alternatives Program (TAP) Grant – Sidewalks in Tylerville** – Mrs. Glidden reported the town has been awarded a TAP grant, federal funds, to install sidewalks on the south side from the intersection of Saybrook Road (Route 154) up Bridge Road (Route 82) to the Swing Bridge. Currently working on construction drawings and the hope is that the sidewalks will be installed right after the water line is installed so all disturbance is at once.

**Build Grant** – Mrs. Glidden reported she and Jim Ventres, Town Planner, East Haddam, are working on this grant, federal funds, which is focusing on rural communities and they are trying to get a walkway across the Swing Bridge. The state will be doing a reconstruction of the bridge due to a number of problems – electrical and mechanical – and this \$55 million project will take place in 2020 to overhaul the majority of the bridge. Any walkway that is attached to the bridge must be counterbalanced and will be on the south side of the bridge. The walkway alone is \$15.8 million dollars. The state does not want to pay this; however, there are federal funds available and it is one of the few connections across the river. Mrs. Glidden noted there are people, such as the actors and associated members of the Opera House, who walk across the bridge looking for services (9 Town Transit, food) and believes the walkway will assist with tourism and mobility. Also noted the Essex Steam Train comes up to this point. Mr. Wendt asked if there was any possibility that the bridge would be replaced in its entirety (raised). Mrs. Glidden stated no, due to space, historic significance, the vista of the Goodspeed Opera House (postcard for the State of Connecticut). Mrs. Glidden stated at one point there was supposed to be a new bridge constructed in the area of the 82 Connector, but was terminated (unclear why).

## **7. Adjournment**

**MOTION:** Margo Chase-Wells moved to adjourn. Anthony Matterazzo second. Motion carried unanimously.

The meeting was adjourned at 8:14 p.m.

Respectfully Submitted,

*Bunny Hall Batzner*

Bunny Hall Batzner, Recording Clerk

**The next regular meeting is scheduled for Thursday, 28 June 2017.**